

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

NICHOLAS HARRISON, *et al.*,

Plaintiffs,

v.

JAMES N. MATTIS, *et al.*,

Defendants,

No. 1:18-CV-00641-LMB-IDD

**DEFENDANTS' MOTION TO DISMISS**

Pursuant to Federal Rule of Civil Procedure 12(b)(1), Defendants, through their undersigned counsel, respectfully move to dismiss the above-captioned action.

The grounds for this Motion are fully explained in the accompanying memorandum.

DATE: August 16, 2018

Respectfully submitted,

G. ZACHARY TERWILLIGER  
United States Attorney

/s/  
R. TRENT MCCOTTER  
Assistant United States Attorney  
2100 Jamieson Avenue  
Alexandria, Virginia 22314  
Tel: (703) 299-3845  
Fax: (703) 299-3983  
trent.mccotter@usdoj.gov

CHAD A. READLER  
Acting Assistant Attorney General,  
Civil Division

ANTHONY J. COPPOLINO  
Deputy Director  
Federal Programs Branch

NATHAN M. SWINTON  
Senior Trial Counsel  
U.S. Department of Justice, Civil  
Division  
Federal Programs Branch  
20 Massachusetts Ave., NW  
Washington, D.C. 20001  
Telephone: (202) 305-7667  
Facsimile: (202) 616-8460  
Nathan.M.Swinton@usdoj.gov

*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this date, I filed the foregoing using the Court's CM/ECF system, which will send a notification of electronic filing (NEF) to the following counsel of record:

ANDREW R. SOMMER  
Va. Bar Number 70304  
WINSTON & STRAWN LLP  
1700 K St., NW  
Washington, DC 20006  
T: (202) 282-5000  
ASommer@winston.com

*Counsel for Plaintiffs*

\_\_\_\_\_/s/\_\_\_\_\_  
R. TRENT MCCOTTER  
Assistant United States Attorney  
Office of the United States Attorney  
Justin W. Williams U.S. Attorney's Building  
2100 Jamieson Avenue  
Alexandria, Virginia 22314  
Tel: (703) 299-3845  
Fax: (703) 299-3983  
Email: trent.mccotter@usdoj.gov

*Counsel for Defendants*